



**U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 2**

June 28, 2019

**BY ELECTRONIC MAIL**

Robert Law, Ph.D.  
de maximis, inc.  
186 Center Street, Suite 290  
Clinton, New Jersey 08809

Re: Lower Passaic River Study Area – Remedial Investigation Report – Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study (Agreement) CERCLA Docket No. 02-2007-2009

Dear Dr. Law:

The U.S. Environmental Protection Agency (EPA) has reviewed the Cooperating Parties Group's (CPG) June 2019 Final RIR (RIR) prepared for the Lower Passaic River Study Area (LPRSA).

EPA reviewed the responses to comments and the revised report submitted by the CPG in May 2019. All comments were addressed. However, a few additional minor comments were generated as a result of this review, and these are attached. Additionally, Appendix P, which includes the Bioaccumulation Model, cannot be approved as final until this model has been fully developed. EPA conditionally approves the report as long as the comments are addressed. Please finalize the report in accordance with Section X, Paragraph 44(a) of the Agreement. If there are any questions or clarifications needed, please contact me to discuss.

Sincerely,

A handwritten signature in dark ink, appearing to read "Diane Salkie", is positioned below the "Sincerely," text.

Diane Salkie, Remedial Project Manager  
Lower Passaic River Study Area RI/FS

Cc: Zizila, F. (EPA)  
Sivak, M. (EPA)  
Hyatt, B. (CPG)  
Potter, W. (CPG)

1. Executive Summary Section ES.3, Human Receptors – Text was added to the document to summarize risk to human receptors based on a prior EPA comment. In the first sentence of the first paragraph of this summary, “LPRSA” should be “LPR”, consistent with revisions previously made to the document based on other EPA comments.
2. Executive Summary Section ES.3, Ecological Receptors – Text was revised in the first paragraph of this summary based on a previous EPA comment; however, further revise the final sentence in this paragraph to read “In addition, a weight-of-evidence approach was evaluated to draw conclusions about the benthic invertebrate community using a sediment quality triad approach.”
3. Section 5.4, second paragraph – In the first sentence of this paragraph, the baseline risk assessments are referred to as draft; delete draft as the risk assessments are now considered final.
4. Section 10.6, seventh paragraph – Based on a prior EPA comment, the language in this section was revised to clarify which three 1999 samples were considered suspect and why. However, the text as revised remains unclear, and now suggests that there were only three mummichog samples collected in October 1999. Revise the first two sentences in this paragraph to instead be three sentences reading “Tropical Storm Floyd (which occurred on September 16, 1999) may have had an impact on contaminant bioavailability. In the historical dataset, there were several mummichog samples collected in October 1999, approximately one month after Tropical Storm Floyd. Three of these mummichog samples from October 1999 exhibited tissue concentrations that were higher than other samples based on visual evaluation.”
5. Figures 10-21 and 10-22 – These figures are listed out of order in the electronic file index; ensure that the figures are provided and indexed in the correct order.
6. Appendix A – The hyperlink for the Wolfs, F.L. reference returns an error; ensure that the hyperlink is accurate and functional (note that it appears the following URL may be accurate: [http://teacher.pas.rochester.edu/PHY\\_LABS/AppendixB/AppendixB.html](http://teacher.pas.rochester.edu/PHY_LABS/AppendixB/AppendixB.html)).